HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 25737 of 1998

Dated 12th March, 2007

Between

P.Bullemma

…Petitioner

and

The Government of AP, rep. By its Secretary,
Revenue Department, Secretariat, Hyderabad, anr.

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 25737 of 1998

ORDER:

In this Writ Petition, the petitioner seeks Writ of Mandamus to declare the action of the respondents in trying to dispossess her from the land to an extent of Ac.5.00 cents out of Ac.10.00 cents covered by R.S.No. 130/3 of Naramvarigudem village in Aswaraopet Mandal, Khammam District, as illegal and arbitrary.

It is stated in the affidavit filed in support of the Writ Petition that the petitioner's husband was a declarant under the provisions of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 and he was declared to be a surplus holder and was directed to surrender an extent of Ac.4.77cents in R.S.No. 130/2 of Naramvarigudem village by the Primary Tribunal by order dated 16-6-1981. It is the case of the petitioner that the land covered by R.S.No.

130/3 is not declared as surplus land, and, in spite of the same, the respondents are taking steps to dispossess her from the said land.

Counter affidavit is filed on behalf of the respondents stating that only the land in Sy.No.130/2, ad-measuring Ac.4.77 cents was declared as surplus land, which was taken over and assigned to third parties. So far as land in Sy.No. 130/3 is concerned, it is stated in the counter affidavit that at no point of time, any steps were taken to dispossess the petitioner.

This Writ Petition is filed on mere apprehension. However, in the counter affidavit filed on behalf of the respondents, it is stated that no steps are being taken to dispossess the petitioner from the land in Sy.No. 130/3.

In that view of the matter, placing the statement of the respondents on record that no steps are being taken to dispossess the petitioner from the land in Sy.No. 130/3 of Naramvarigudem village, this Writ Petition is disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 12-03-2007.
Msnr.